THE NEW YORK PRESS.

EDITORIAL OPINIONS OF THE LEADING JOURNALS UPON CURRENT TOPICS.

COMPILED EVERY DAY FOR EVENING TELEGRAPH.

Shall We Have Another Rebellion ? From the Tribune.

How much has the Philadelphia Convention, with all the "brains" which its President declared it to possess, done to make treason odious? By the law of the land it is a telonious crime-Doolittle and his followers have worked their best to reduce it to a misdemeanor, and Mr. Raymond elaborately treats it as a peccadillo. We ask every man of candor to read all the proceedings of the Convention, and then honestly to determine whether it was not chiefly assembled for the comfort and consolation of the Confederate mourners. There seemed to be but one idea prevalent upon the seats and the platform, and in the atmosphere of the Wigwam -the idea of bringing the loyal States, by wheedling, and persuasion, and bullying, to the discharge of what Mr. Webster used to call their "disagreeable duties." The tone of the proceedings takes us back ten years. We seem to be living again in a rainy season of com-promises. Our minds are excited to disagreeable reminiscence, and our ears are filled with the old familiar drawl of the professional peace-makers. We are to forget the tremendous events of yesterday, the staughter, the waste, ber that the assassins of the Republic lamentably failed in their murderous purposes, and are very much to be commiserated for their disappointment. The baffled Confederates are to be treated, upon the whole, rather more benevelently and charitably than the Producal Son. They are not only to have excellent yeal for dinner, and new coats to their backs and fine rings for their fingers, but they are to be assured that their little escapade was quite pardonable and is not only torgiven but forgotten. We deny it. The memory of the loyal land is not quite so short as Dix and Doolittle imagine. The soldiers of the republic, although dead, yet speak to us. Fine words pay no taxes. Dix and Doelittle move and make motions in a sphere of ideal clemency and poetic gracious ness; but the people of this country are confronting hard, practical realities, and have neither taste nor time for indulging in the Philadelphia sentimentalities. We may forgive the sinner, but no dictate of religion requires us to forgive the sin. Dix, Doolittle, and Raymond condone and console in the same breath; and

est the sinner should have qualmish doubts of

the plenary remittance of his crime, they assure him that he has been, all along, an extremely

virtuous character. The force of fondness can

no further go.
We do not like to speak intemperately, but it really seems to us that the whole tendency of this Convention was to incite another Rebellion. Of course, we do not mean to deny that there was a modicum of patriotic words and of loyal professions. Some of those members who uttered them were, perhaps, sincere; while others used them as a certain personage sometimes cites the Holy Scriptures. But all these loyal phrases were but the trimmings of the banquet—the solid pabulum was sympathy with the hard fate of the insurrectionists. "Think how much they must have suffered," says Mr. Raymond, with the tears standing in his eyes. Pray, has Mr. Raymond just found out that the way of transhard? Did not his grandmother teach him that in his callow and innocent days? The Rebels have had a fine dance, and Mr. Raymond thinks it hard to oblige them to pay the piper. He may be as-sured that, if they can dance for nothing, they will be at it again before he is much wiser, or even much older. Indeed, we do not see why they should not pluck up courage and try once more, when the Philadelphia Convention, scowling at the North and threatening the loyal population, tells the discouraged Confederacy under what circumstances it may again properly resort to criminal violence. mond declares that "the Americans who live in the South" would be "unworthy citizens of a free country, degenerate sons of a heroic an-cestry," should they "accept" those laws which Congress has seen fit, in the exercise of its constitutional prerogative, to enact. When the passage containing this opinion was read, great and emphatic was the cheering and the approbation. The bonorable and distinguished member from Maryland cried "Read that again" and all the little squad of delegates from unreconstructed or half-recor structed States felt in their fiery souls that the rod which they were accustomed to wave in terrorem over Union-shrickers and Union-savers was not yet broken, and did not lose all its magical properties when General Lee surrendered and Mr. Davis retired to Fortress Monroe. We congratulate them upon the dis-covery. All is not lost! There may yet be another and a more fortunate Rebellion. Doesn't Mr. Raymond tell them so Does not the Philadelphia Convention tell Is it not put upon record that their continued loyalty, such as it is, very properly depends upon the contingency of legislation which shall be quite agreeable to their sensi tive natures? Thus, we are no sooner well out of the war, than political speculators at the North are inviting the uneasy and the desperate to renew it. This is just what the Philadelphia Convention has done. If it did anything more or better, the reporters failed to make

The President's Power of Removal. From the World.

Collector Thomas, of Philadelphia, who has been dismissed by the President, refuses to give up his office, and challenges his successor to oust him by judicial process. We do not know that we have an authentic version of the facts, but we have been told that the ground on which Mr. Thomas bases his resistance is, that Mr. Johnson, his successor, was nominated to the Senate before its adjournment, and having failed to receive confirmation, cannot legally exercise the duties of the office. The Constitution authorizes the President to fill vacancies which may happen during the recess of the Senate; but Mr. Thomas contends that his case

does not fall under that description. We will not discuss the appointment to the Philadelphia Custom-House until we are more sure of the facts; but if its peculiarity is as we have described it, it is a case by itself, and its decision will have no immediate bearing on the

President's power of removal from office.

The radicals, however, are disputing the general power. The Tribune leads the way in the discussion, and rests its argument on the use of the word "happen" in the following provision of the Constitution :-

The President shall have power to fill up all vacancies that may happen during the recess of the Sonate, by granting commissions which shall ex-pire at the end of their next ression.

The very sapient Tribune thinks that this relates only to vacancies caused by the death or resignation of the incumbent, but not removals by the President for delinquencies or other cause, because, forsooth, a removal, being the execution of a purpose, cannot be said to happen! The Tribune, as we will show before happen! The Iribune, as we will show before we get through, is either ignorant of the English language, or presumes on the ignorance of its readers. But before exploding this crotchet, it may be worth while to state that the power of removal from office without the concurrence of the Senate has been exercised by our President from the beginning of the Government, and that nobody has ever before questioned the validity of an appointment under the above-quoted clause of the Constitution, on the ground that he cannot fill a vacancy caused by his own deliberate act. Both houses, at the very first session of ment.

Congress, and before a single office had been created by law, decided, after full discussion, that the power of removal is conferred on the President by the Constitution, being a necessary incident of the executive authority. And in regard to vacancies in the recess, the Senate itself decided, in 1822, in connection with the newly created South American missions, that the words, "all vacancies which may happen during the recess of the Senate," mean vacancies occurring from death, resignation, promotion,

The Tribune might find it to its advantage to look into the Statutes at Large. As specimens of what it may meet in them, we will make two or three citations. The act creating the De partment of State contains the following provision:-

There shall be in the said department an inferior officer * * * who, whenever the said principal officer shall be removed from office by the President of the United States, or in any other case of a vacancy, shall, during such vacancy, have charge and custody, etc.

The act creating the Treasury Department has the following:-

Whenever the Secretary shall be removed from office by the President of the United States, or in any other case of vacancy in the office of Secretary, the assistant shall, during the vacancy, have the charge and custody, etc.

In the act creating the War Department we

There shall be in said department an inferior officer, to be appointed by said principal officer, who, whenever the said principal officer shall be removed from office by the President of the United States, or in any other case of vacancy, shall, during such vacancy, have charge and custody, etc.

Be it observed, that Congress do not assume to onfer this right of removal upon the President, but recognize it as existing independent of their authority. The debates show that this form of mere recognition was deliberately chosen be-cause Congress were of opinion that the right of removal resulted immediately from the nature of the executive power. The executive power is not conferred upon a body of men, but apon a single individual; and if his subordinates are independent of him, as they would be if irremovable, instead of having the whole executive authority, the President would possess only the insignificant fraction of it which he can exert in person without the assistance of other officers.

When General Jackson dismissed Mr. Duane from the Treasury Department because he refused to remove the deposits from the States Bank, and appointed Roger B. Taney in his place, the Whig party raised a more uproarious outery tuan has ever been directed against any other President before or since. The Senate passed a vote of censure (the same which Colonel Benton afterwards got expunged) the President protested; and Mr. Webster, who led the opposition, in his speech against the

protest, said:-In the first place, then, I have to say that I did not vote for the resolution on the mere ground of the removal of Mr. Duane from the office of Secretary of the Ireasury. Although I disapproved of the removal altogether, yet the power of removal does exist in the President seconding to the estab-lished construction of the Constitution; and therefore, although in a particular case it may be abused, and, in my opinion, was abused in this case, yet its exercise cannot justiy be said to be an assumption or usurpation. We must all agree that Mr. Luane is out of office. He has therefore been removed by a power constitutionally competent to remove him, whatever may be though of the exercise of toat

power under the circumstances of the case. It seems superfluous to accumulate authorities, when the whole usage of the Government, supported by the express sanction of Congress, all one way; but the following quotation from a letter of President Jefferson to his Attorney Seneral, Levi Lincoln, of Massachusetts, shows that President Johnson has a distinguished pre-cedent to follow, if he refuses to tolerate blatant opposition to his policy in those who hold office inder bim:-

"To these means of obtaining a just share in the transaction of the public business shall be added one other, to wit, removal for election eering activity. or open and industrious opposition to the princi-ples of the present Government, * * * We should betray the cause committed to our care were we to permit the influence of the official pair-onage to be used to overthrow that cause. Your present situation will enable you to judge of prominent offenders in your State in the case of the present election. I ray you to seek them, to mark them, to be quite sure of your ground, and leave the rest be known that we are determined to remove cers who are active or open-mouthed against the

Government. Against the uniform usage of the Government upported by the established interpretation of the Constitution, by the language of numerous acts of Congress, and by such eminent authori-ties as we have quoted, the Tribune finds nothing more solid to urge than its pititul quibble the word "happen." Vacancies caused by the President's removal of the incumbent, it contends, do not "happen," inasmuch as this word implies something accidental—something which is not the result of a purpose. That learned ournal makes a distinction between the word "happen" and the word "occur." But if the editor will take the concordance to Shakespeare or a concordance to the Bible (or consult any other recognized source of good English), he will easily convince himself that "happen" is more frequently used as the synonym of "occur" than in any other sense. It is said, for example, that Christ "took the twelve and began to tell them what things should happen unto him;" and he proceeded to inform them of his coming crucitizion and resurrection, neither of which can be very well regarded as accidental occurrences. So the disciples on their way to Emmaus are said to have conversed on the things which had "happened," meaning the resurrection and subsequent appearance of their Master. And so when Peter cured the lame man, the people were filled with amazement "at that which had happened unto him." When the Tribune puts forward such ridiculous quibbles a serious constitutional argument, it must teel that it has a sinking cause to support. It is a drowning man catching at straws.

The New Organization of Parties-The Fall Elections.

From the Herald.

Some of the leading orators and organs of the radicals profess to be sanguine of carrying the elections for the next Congress, soon to come off, by substantially the same majorities by which they carried the existing Congress. They expect the same causes to control the elections of 1866 that carried those of 1864. Such calculations, however, must fall very wide of the mark. The party organizations, with the party issues of 1864, have ceased to exist. The Democratic party, which supported McClellan, has been cut up and killed off by the intolerable Copperheads, and the Republican party, which elected Lin-coin and Johnson, has been demolished by the implacable revolutionary radicals. The contest has ceased to be between the Republican party and the Democratic party, and is now between

the conservatives and the radicals. The late Democratic party was merged in the great Johnson-Union movement of the Philadelphia Crnvention, The delegates chosen as Democrats to that Convention appeared therein, and came from it as Union conservatives on the Johnson restoration platform. In that Convention there were no Republicans, no Demo-crats; they were all conservatives, all Union men on the Johnson platform. Here was the inauguration of a great national party from the old broken up parties of the country, on the issues which have arrayed President Johnson and Congress, the executive and legislative de partments, against each other. The conflict between Andrew Johnson and Thaddeus Stevens. between a quiet and harmonious restoration of the Union and a radical and revolutionary sys tem of reconstruction, in short, marks the dividing line between the two great conflicting parties of the present day. The universal and all-absorbing issue of 1864—"the vigorous prosecution of the war"—ceased to be an issue with the termination of the war; and the paramount question among the masses of the people of all sections and parties was changed to a vigorous prosecution of peace and the complete restoration of the lately rebellious States to their con-stitutional relations with the General Govern-

to Congress, the lately rebellious States have been reinstated through the wise and effective reunion measures adopted and put into practice

by President Johnson. But the radicals of the present Congress have proclaimed that until these lately insurgent States shall have done this thing, that thing, and the other, to prove their repentance and their loyalty, they shall still be excluded from Gongress. The radical ultimatum, in other words, is the exclusion in-definitely of said States from the two Houses; while the Johnson conservatives hold that those States, subdued and submissive, are, from what they have done, entitled to their seats in the Federal assembly, and that it is unjust and unlawful to impose new restrictions and conditions as the price of their restoration.

In all these relations, except their restoration

This is the main question upon which the people will have to decide in the approaching elections for the next Congress;-Shall the excluded States be restored, or shall they be still excluded '---for here is the great issue between President Johnson and "Old Thad Stevens" "Old Thad's" nolicy and purposes are pretty well understood. He would, if he could, push his vengeance against the South to the extremity of the extermination of the white race or the uni-versal confiscation of their property for the benetit of the blacks; and in his mildest moods the least he has promised is, that when any one of the excluded States shall have ratified and conformed its local legislation to the new Constitutional amendments emanating from Coneress, such State may be readmitted, but no

If, in the coming September, October, and November elections for Congress, therefore, the people desire to secure a complete restoration of the Union without further waste of time they will support those candidates who stand by of the Administration. If, on the other hand, the people desire the continuance of the radical policy of Southern exclusion, Southern agitations, Southern conflicts of races and factions, and Southern mobs and sanguinary riots, and all the revolutionary troubles inci dent to this unconstitutional policy of the radi-cals, this dearre may be gained by the election of another radical Congress. Another like the last, however, will be apt to satisfy even the radicals themselves with the elements of discord and insurrection, and blood and revolutionary

Believing, however, that the great body of the people wish to bring to an end the radical reign of terror, we trust it will suffice to tell them that the coming elections for the next Congress will settle the question one way or the other. Conservative men, therefore, of al parties-beginning in the city of New Yorkin every city and county in the country, should proceed to get up their mass meetings to ratify the policy and to fuse with the new Union party proclaimed from the Philadelphia Con-We again call upon the merchants and all the business and working classes of this metropolis to start the new campaign with comething like a Fort Sumter uprising; for New York, in thus leading off, will again rally the whole country to the Union cause.

The Philadelphia Convention and Our National Credit in Europe. From the Times.

During our war it was the great theme of remark by our enemies in Europe, in the press, in public meetings, and in deliberative assemblies, that even if the United States should be successful in repressing the formidable insurrection of the combined Southern States, the feeling of animosity and of hatred that must remain, would put the national debt created by the war upon a perilous footing, as a party of repudiation was surely to be supported by the united vote of the South. There were, and are even now, in Europe, among her statesmen, practical financiers, and enterprising capitalists some who still entertain the same tear, and look upon

our national securities with distrust.

The result of the Philadelphia Convention will completely dispel tois tear and this distrust When it is reported in Europe that the best minds and most indoential men of the South, assembling with their reconciled brethren from the North, meet in joint convention in a North ern city, and unanimously assent that the obli gation to pay the great public debt, created by ever be held 'sacred and inviolable;" when shall be known that the representative men of the South, with a unanimity as honorable as t was unexpected, agreed to the declaration in the Convention, it will at once be conceded throughout the length and breadth of the Old World, that the people of the United States are once more closely united in feeling as well as in law, and that there can be now no doubt that our debt-the representative of which is largely held in Europe-is beyond all possible danger of

This resolve and this result of the Convention, in thus confirming the public credit of the nation, is worth hundreds of millions to the tax-payers of the United States. Let the tax-paying community bear these facts in mind.

The Error of the Convention. From the Dairy News.

The beneficial results of the Philadelphia Convention, while already perceptible, would have been much enhanced if the doctrine of expediency, that bane of the Democratic party for the last five years, had not so much influenced their proceedings. An assemblage calculated to give expression to conservative sentiments, and to organize conservative material, could not fall to be productive of happy effects. But it is to be regretted that the Convention should have considered it expedient, in its very organization, to place itself in antagonism with that principle of the right of representation which is, in fact, the base and strength of the conservative cause.

In ostracizing Mr. Vallandigham, the Convention not only outraged a principle in whose name it appealed to the people, but wronged that portion of the people that were the constituents of the object of its proscription. The action of Mr. Vallandigham was far more in accordance with the spirit of the conservative movement; for in his voluntary withdrawal from the Convention he demonstrated his readiness to sacrifice all personal considerations for the sake of the principle that he desired to serve. We trust that we have heard the last, so far as the Conservatives are concerned, of the proscription of individuals on account of their political antecedetns during the civil war. In the North as in the South, let the shadow of the past pass jaway from the threshold of the

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S. A.; Brevet Lieutenant-Colonel Anthony Herer,
Surgeon, U. S. A.; and Brevet Major Warren Webster, Assistant Surgeon, U. S. A., Recorder, will
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Army.
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